

Amendments to the Drawings:

The attached sheets of drawings include changes to Figures 11, 13, 14 and 40. These three sheets replace the original sheets including Figures 11, 13, 14 and 40.

Attachment: Three Replacement Sheets

REMARKS

This Response is to the non-final Office Action mailed on November 20, 2007. Claims 24 to 30 have been added and are of similar scope to Claims 1 to 23. No new matter has been introduced by any of the amendments or added claims. The Director is authorized to charge any fees which may be required, including a One-Month Extension of Time, or to credit to credit any overpayment to Deposit Account No. 02-1818. If such a withdrawal is made, please indicate the Attorney Docket No. 112713-1156 on the account statement.

Claims 1 to 23 are pending in this application. In the Office Action, the drawings and specification were objected to. In addition, Claims 15 and 21 were rejected under 35 U.S.C. §102(e) as anticipated by U.S. Publication No. 2001/0044588 to Mault (“*Mault*”), and Claims 1 to 6, 8 to 13 and 20 were rejected under 35 U.S.C. §103(a) as obvious over International Publication No. WO99/42933 to Bar-Gadda (“*Bar-Gadda*”) in view of *Mault*. In view of the amendment and/or for the reasons set forth below, Applicants respectfully submit that the rejections should be withdrawn.

Regarding the objections to the drawings for not including reference numbers mentioned in the description, Applicants respectfully request that the objections to the drawings be withdrawn as discussed below.

- Regarding the objection to Figures 40 and 41, Applicants have amended Figure 40.
- Regarding the objections to Figures 1, 6, and 12, Applicants have amended paragraphs [0099], [0269] and [0413], of the specification, respectively.
- Regarding the objection to Figure 3, Applicants have amended paragraph [0093] of the specification regarding reference number 116, and respectfully refer the Patent Office to page 4 of the amendment dated May 6, 2004 regarding reference number 121.
- Regarding the objections to Figures 13 and 14, Applicants have amended paragraphs [0419] and [0420] of the specification.
- Regarding the objection to Figure 43, reference numbers 4810 and 4811 are illustrated in Figure 48.

- Regarding the objections to Figures 55A and 55B, reference numbers 5538, 5540, 5542, 5544, 5546, 5572 and 5574 are illustrated in Figure 55C.

Regarding the objections to the drawings for including reference numbers not mentioned in the description, Applicants respectfully request that the objections to the drawings be withdrawn as discussed below:

- Regarding the objection to Figure 4, reference number 126 is mentioned in paragraph [0166], and reference number 128 is mentioned in paragraph [0093].
- Regarding the objection to Figure 6, reference numbers 524 and 526 are mentioned in paragraph [0269].
- Regarding the objection to Figure 11, reference numbers 1008(a-f) are mentioned in paragraphs [0281] and [0319]; reference numbers 1012(a-c) are mentioned in paragraphs [0319] and [0333]; and reference numbers 520(a-e) are mentioned in paragraph [0319].
- Regarding the objections to Figures 13 to 15, Applicants have amended Figures 13 and 14, and respectfully submit that reference number 1580 (*i.e.*, silencing the alarm/alert or muting the audible indication) is mentioned in paragraphs [0423] and [0430].
- Regarding the objection to Figures 55B, 55C, 56, 57A and 57B:
 - Titles of Figures 55B, 55C, 57A and 57B are mentioned in paragraphs [0079] to [0081];
 - Applicants have amended paragraph [0445] regarding reference numbers A, B, C, D and E;
 - Reference numbers 5538, 5542, 5544, 5546 are mentioned in paragraph [0455]; and
 - Reference numbers 5620, 5622 and 5624 are mentioned in paragraph [0475].
- Regarding the objection to Figure 59, reference number 5910 is mentioned in paragraph [0503].
- Regarding the objection to Figure 61, reference number 6136 is mentioned in paragraph [0536].

- Regarding the objection to Figure 52, Applicants respectfully disagree and submit that the steps are illustrated in Figure 52. Applicants respectfully refer to reference numbers 5208, 5214 and 5212 and corresponding decision lines in Figure 52.
- Regarding the objection to Figure 11, Applicants have amended Figure 11.

Accordingly, Applicants respectfully request that the objections to the drawings be withdrawn.

Regarding the objection to the specification, Applicants respectfully submit that the objection is improper. The Patent Office relies on the printed publication version of the specification, while the amendment dated May 6, 2004 relies on the specification as filed. In the Office Action, the Patent Office incorrectly equates paragraph [0474] of the printed publication to the paragraph on page 109 beginning at line 14 as cited on page 24 of the amendment. However, the paragraph as amended relates to paragraph [0505] of the printed publication. Accordingly, no appropriate correction is required and Applicants respectfully request that the objection to the specification be withdrawn.

Regarding the anticipation rejection of Claims 15 and 21 by *Mault*, Applicants respectfully submit that this rejection is overcome for at least the reasons set forth below.

Applicants have amended independent Claim 15 to recite that the response message includes information contained within a data packet generated by a medical treatment application device. Support for the amendment can be found in Applicants' specification, for example, at paragraph [0424]. For example, an alarm can be generated at a medical treatment device such as an infusion pump. See, specification, paragraph [0423]. An advantage of the present claimed invention is to provide a system for broadcasting an emergency notification from a medical treatment application device at the point of care to remote clinician devices in a healthcare system.

Applicants respectfully submit that *Mault* fails to disclose all of the elements of independent Claim 15 as amended. *Mault* does not disclose generating a signal from a medical treatment application device as amended. Instead, the emphasis of *Mault* is drawn to a monitoring system for allowing a person to remotely monitor a physiological parameter of a subject. See, *Mault*, abstract. In this regard, *Mault* discloses either (i) devices that merely monitor physiological parameters (e.g., temperature monitors) or (ii) entertainment devices. See,

Mault, paragraphs [0035] and [0037]. Accordingly, Applicants request that the anticipation rejection with respect to *Mault* be reconsidered and the rejection be withdrawn.

Regarding the obviousness rejection of Claims 1 to 6, 8 to 13 and 20 over *Bar-Gadda* in view of *Mault*, Applicants respectfully request that the rejection be withdrawn for at least the reasons set forth below.

Applicants have amended independent Claim 1 to recite the step of generating a signal at a medical treatment application device that a notification condition exists for a specific patient. Applicants have further amended independent Claim 11 to recite that the response message includes information contained within a data packet generated by a medical treatment application device. Support for the amendment can be found in Applicants' specification as discussed above.

Applicants respectfully submit that *Bar-Gadda* and *Mault* fail to disclose all of the elements of independent Claims 1 and 11 as amended. For example, the emphasis of *Bar-Gadda* is drawn to pushing existing medical records accessible on the Web (e.g., clinical databases) to client devices. See *Bar-Gadda*, page 3, line 11 to page 4, line 17. Further, *Mault* is silent with respect to a medical treatment application device as discussed above. Accordingly, Applicants request that the obviousness rejection with respect to *Bar-Gadda* and *Mault* be reconsidered and the rejection be withdrawn.

Applicants further note that Claims 24 to 30 have been added. The subject matter as defined in new Claims 24 to 30 is supported in the specification, for example, at paragraphs [0422], [0429], [0433] and [0434]. For example, the notification can include status information or programming information for the medical treatment application device. See, specification, paragraph [0422]. Further, an escalated notification process can be executed if the response is not received prior to a predefined timer limit. See, specification, paragraphs [0433] and [0434]. In addition, the remote device can display a list of a plurality of notification conditions corresponding to a specific patient. See, specification, paragraph [0429]. Thus, multiple alarms can be readily displayed on a single interface screen for a specific patient. Also, a time-out output can indicate a loss of a wireless communication link between the first clinician's device and the medical treatment application device. In this regard, a notification condition can reassert once the communication has been re-established. See, specification, paragraph [0434]. Applicants respectfully submit that the subject matter as defined in the added claims is patentable

over the cited art of record for at least the same reasons as discussed above, and for the additional patentable elements recited therein.

For the foregoing reasons, Applicants respectfully request reconsideration of the above-identified patent application and earnestly solicit an early allowance of same.

Respectfully submitted,

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